IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY THE SECOND DAY OF AUGUST
TWO THOUSAND AND SEVEN
:PRESENT:

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 16310 of 2007

Between:

Sashi Agro Food (P) Limited., 4-45-12, Lawsons Bay Colony Post, Visakhapatnam-530017, rep.by its Managing Director, Smt. Ravipati Umadevi,
W/o. Sri R.R.K. Murthy.

.....
PETITIONER

AND

1. Andhra Bank, SSI Branch, Gajuwaka, rep.by its Branch Manager.
2. M/s. Asset Reconstruction Company (India) Limited., a Company incorporated under the Companies Act, 1956 having its office at 17th Floor, Express Towers, Nariman Poijnt, Mumbai-400021, and rep.by its Special Power of Attorney Holder M/s. APTICO Limited., having its office at Parisrama Bhavan, Basheerbagh, Hyderabad.

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or order, more particularly, one in the nature of a writ of mandamus or any other writ declaring the action of the 2nd respondent in resorting to action under Section 14 of the SERFAESI Act and the consequent issuance of warrant dated 07-07-2007 in Crl.M.P.No. 13963 of 2007 by the Chief Metropolitan Magistrate, Visakhapatnam, is in violation of law, principles of natural justice and also Article 300A of the Constitution of India and consequently direct the 2nd respondent not to interfere with the possession of the properties given by the petitioner as security to the 1st respondent otherwise than due process of law.

The petition coming on for hearing, upon perusing the petition and the affidavit filed in support there of and the High Court order dated 31/07/2007and upon hearing the arguments of SRI S. RAJAN, Advocate for the Petitioner and of Sri K. Lakshmi Narasimha, Advocate for the respondent No.1, the Court made the following:

ORDER: Sri S. Niranjan Reddy, who accepted notice for the respondents, seeks time to file counter. Post on Tuesday for admission. The interim order granted earlier shall continue till then.

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Branch Manager, Andhra Bank, SSI Branch, Gajuwaka.
2. M/s. Asset Reconstruction Company (India) Limited., a Company incorporated under the Companies Act, 1956 having its office at 17th Floor, Express Towers, Nariman Poijnt, Mumbai-400021, and rep.by its Special Power of Attorney Holder M/s. APTICO Limited., having its office at Parisrama Bhavan, Basheerbagh, Hyderabad.
   (1 and 2 by RPAD)
3. The Chief Metropolitan Magistrate, Visakhapatnam.
4. one C.C.to Sri S. Rajan, Advocate. (OPUC)
5. One spare copy.

AGS

HIGH COURT

RG.J.

DATED 02/08/2007

POST ON TUESDAY

ORDER

W.P.NO. 16310 OF 2007

DIRECTION

AGS
DT. 03-8-2007

HIGH COURT

RG.J.

DATED 02/08/2007

POST ON TUESDAY.

ORDER

W.P.NO. 16310 OF 2007

DIRECTION